

1744/\$

Attorney Docket No. CSLL-624 (56247-188)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: William P. Kelleher  
Serial No: 09/916,419  
Filing Date: July 27, 2001  
Title: Fluorescence Detection System Including A Photonic Band Gap Structure  
Examiner: William H. Beisner  
Art Unit: 1744

**CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: April 01 2004

Elizabeth Kim  
Elizabeth Kim

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

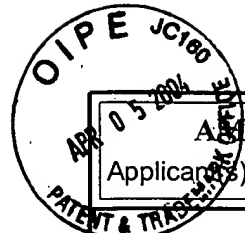
**AMENDMENT AND RESPONSE**

**A. INTRODUCTORY COMMENTS**

This paper is in response to the Office Action dated October 6, 2003, in the above-identified patent application. **AMENDMENTS TO THE CLAIMS** begin on page 2 of this paper. **REMARKS/ARGUMENTS** begin on page 6 of this paper.

Enclosed is a Petition for Extension of Time. Please charge to our Deposit Account No. 50-1133 the requisite fee in the amount of \$475.00 to cover the petition fee for a three-month extension of time pursuant to 37 C.F.R. 1.17(a)(3). With this extension, the new period for response is due on April 6, 2004. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-1133.

<b>CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)</b>			Docket No. 56247-188 (CSLL-624)	
Applicant(s): William P. Kelleher et al.				
Serial No. 09/916,419	Filing Date July 27, 2001	Examiner William H. Beisner		Group Art Unit 1744
Invention: <b>FLUORESCENCE DETECTION SYSTEM INCLUDING A PHOTONIC BAND GAP STRUCTURE</b>				
<p>I hereby certify that this <u>Amendment &amp; Response, 3 -Month Extension, Amendment Transmittal and Ackn.</u> (Identify type of correspondence) <b>Postcard.</b></p> <p>is being deposited with the United States Postal Service as first class mail in an envelope addressed to:</p> <p>Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>April 1, 2004</u> (Date)</p> <p><u>Elizabeth E. Kim</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p><u>Elizabeth E. Kim</u> (Signature of Person Mailing Correspondence)</p>				
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>				

**AMENDMENT TRANSMITTAL LETTER (Small Entity)**Applicant(s): **William P. Kelleher et al.**

Docket No.

**56247-188 (CSLL-624)**Serial No.  
**09/916,419**Filing Date  
**July 27, 2001**Examiner  
**William H. Beisner**Group Art Unit  
**1744**Invention: **FLUORESCENCE DETECTION SYSTEM INCLUDING A PHOTONIC BAND GAP STRUCTURE****TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☐ A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	21 -	21 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-1133**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

**Elizabeth E. Kim**

Signature

Dated: **April 1, 2004**

**Elizabeth E. Kim**  
Registration No. 43,334  
McDermott, Will & Emery  
28 State Street  
Boston, MA 02109  
Tel.: 617-535-4411  
Fax: 617-535-3800  
ekim@mwe.com

I certify that this document and fee is being deposited on  
**April 1, 2004** with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**Elizabeth E. Kim**

Signature of Person Mailing Correspondence

**Elizabeth E. Kim**

Typed or Printed Name of Person Mailing Correspondence

CC: